

Message Text

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TO AMEMBASSY BRASILIA

INFO AMCONSUL RIO DE JANEIRO

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C O N F I D E N T I A L STATE 022851

E.O. 11652: GDS

TAGS: TSPA:BR

SUBJ: BRAZILIAN REMOTE SENSING PRINCIPLES

REF: STATE 022850

QUOTED BELOW IS TEXT OF DRAFT PRINCIPLES ON REMOTE SENSING
WHICH BRAZILIAN EMBASSY GAVE TO DEPARTMENT FEB 1, 1974:

1. NATIONAL AND INTERNATIONAL PROGRAMMES FOR REMOTE SENS-
ING OF NATURAL RESOURCES BY SATELLITES SHALL PROMOTE INTER-
NATIONAL COOPERATION AND THEIR IMPLEMENTATION SHALL BENEFIT
AND SERVE THE INTERESTS OF ALL COUNTRIES, TAKING ESPECIALLY
INTO CONSIDERATION BENEFITS TO AND THE INTERESTS OF THE
DEVELOPING COUNTRIES.

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2. STATES PARTIES SHALL CARRY OUT ACTIVITIES OF REMOTE

SENSING OF NATURAL RESOURCES BY SATELLITES IN ACCORDANCE WITH INTERNATIONAL LAW, INCLUDING THE CHARTER OF UNITED NATIONS THE TREATY ON PRINCIPALS GOVERNING THE ACTIVITIES OF STATES IN EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES, AND THE PRINCIPLES CONTAINED IN THE RESOLUTIONS OF THE UNITED NATIONS GENERAL ASSEMBLY CONCERNING PERMANENT SOVEREIGNTY OF PEOPLES AND NATIONS OVER THEIR NATURAL RESOURCES, IN

PARTICULAR RESOLUTIONS 1803 (XVII), OF 14 DECEMBER 1962, AND 2158 (XXI), OF 25 NOVEMBER 1966.

3. STATES PARTIES SHALL REFRAIN FROM UNDERTAKING ACTIVITIES OF REMOTE SENSING OF NATURAL RESOURCES BELONGING TO ANOTHER STATE PARTY, INCLUDING THE RESOURCES LOCATED IN MARITIME AREAS UNDER NATIONAL JURISDICTION, WITHOUT THE CONSENT OF THE LATTER.

4. STATES PARTIES ARE ENTITLED TO TAKE MEASURES, IN ACCORDANCE WITH INTERNATIONAL LAW, TO PROTECT THEIR TERRITORY AND MARITIME AREAS UNDER THEIR JURISDICTION FROM REMOTE SENSING ACTIVITIES FOR WHICH THEY HAD DENIED THEIR CONSENT.

5. STATES PARTIES WHOSE TERRITORY AND MARITIME AREAS UNDER THEIR JURISDICTION ARE THE OBJECT OF REMOTE SENSING OF NATURAL RESOURCES ARE ENTITLED, IF THEY SO REQUEST, TO PARTICIPATE IN THOSE ACTIVITIES.

6. STATES PARTIES WHOSE TERRITORY AND MARITIME AREAS UNDER THEIR JURISDICTION ARE THE OBJECT OF REMOTE SENSING OF NATURAL RESOURCES ARE ENTITLED TO FULL AND UNRESTRICTED ACCESS TO ALL DATA OBTAINED THROUGH THOSE ACTIVITIES.

7. STATES PARTIES OBTAINING INFORMATION RELATING TO THE NATURAL RESOURCES OF ANOTHER STATE PARTY THROUGH REMOTE SENSING SHALL NEITHER DIVULGE SUCH INFORMATION NOR TRANSMIT OR TRANSFER IT IN ANY MANNER TO A THIRD STATE, INTERNATIONAL ORGANIZATION OR PRIVATE ENTITY, WITHOUT THE EXPRESS AUTHORIZATION OF THE STATE PARTY TO WHICH THE NATURAL RE-CONFIDENTIAL

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SOURCES BELONG, NOR CAN THEY UTILIZE THE INFORMATION THUS OBTAINED TO THE DETRIMENT OF THE LATTER.

8. STATES PARTIES SHALL REFRAIN FROM SOLICITING, ACCEPTING AND, IN ANY MANNER, RECEIVING FROM A THIRD STATE, INTERNATIONAL ORGANIZATION OR PRIVATE ENTITY, INFORMATION REGARDING THE NATURAL RESOURCES OF ANOTHER STATE PARTY OBTAINED THROUGH REMOTE SENSING WITHOUT THE EXPRESS

AUTHORIZATION OF THE STATE PARTY TO WHICH THE NATURAL RESOURCES BELONG; NOR CAN THEY UTILIZE SUCH INFORMATION TO THE DETRIMENT OF THE LATTER.

9. STATES PARTIES POSSESSING THE TECHNOLOGICAL CAPABILITY FOR REMOTE SENSING SHALL ENDEAVOR TO ASSIST OTHER STATES PARTIES LACKING THIS TECHNOLOGY IN THE IMPLEMENTATION OF NATIONAL PROGRAMMES FOR SURVEYING NATURAL RESOURCES PLANNED BY THE LATTER.

10. STATES PARTIES ACKNOWLEDGE THE RIGHT OF ALL STATES TO PARTICIPATE FULLY IN ACTIVITIES OF REMOTE SENSING OF NATURAL RESOURCES OF TERRESTRIAL AND MARITIME AREAS OUTSIDE NATIONAL SOVEREIGNTY OR JURISDICTION, AS WELL AS THE NEED TO GUARANTEE FREE ACCESS TO INFORMATION OBTAINED THROUGH THESE ACTIVITIES.

11. STATES PARTIES SHALL BE HELD INTERNATIONALLY RESPONSIBLE FOR NATIONAL ACTIVITIES OF REMOTE SENSING OF NATURAL RESOURCES, IRRESPECTIVE OF WHETHER SUCH ACTIVITIES ARE CARRIED OUT BY GOVERNMENTAL OR NON-GOVERNMENTAL ENTITIES, AND SHALL GUARANTEE THAT SUCH ACTIVITIES WILL COMPLY WITH THE PROVISIONS OF THE PRESENT TREATY.

12. DISPUTES RESULTING FROM ACTIVITIES OF REMOTE SENSING OF NATURAL RESOURCES SHALL BE RESOLVED IN ACCORDANCE WITH THE METHODS ENVISAGED IN ARTICLE 33 OF THE CHARTER OF THE UNITED NATIONS.

13. STATES PARTIES ARE ENTITLED TO CONCLUDE AGREEMENTS IN CONFORMITY WITH STIPULATIONS OF THE PRESENT TREATY.

14. NOTHING IN THESE ARTICLES SHALL AFFECT THE RIGHTS AND CONFIDENTIAL

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OBLIGATIONS CONTRACTED BY STATES PARTIES THROUGH BILATERAL OR REGIONAL AGREEMENTS. UNQUOTE. KISSINGER

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